

**Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

**Title V
AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: American Fuji Seal, Inc.
Mailing Address: 1051 Bloomfield Road, Bardstown, KY 40004

Source Name: American Fuji Seal, Inc.
Mailing Address: 1051 Bloomsfield Road
Bardstown, KY 40004

Source Location: *same as above*

Permit Number: VF-02-003
Log Number: 54749
Review Type: Construction
Source ID #: 21-179-00031

Regional Office Frankfort
County: Nelson

Application
Complete Date: **June 30, 2002**
Issuance Date: September 13, 2002
Expiration Date: September 13, 2007

**John S. Lyons, Director
Division for Air Quality**

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

044(043)

Rotogravure Printing Unit

- Rotogravure printing press
- Recuperative catalytic oxidizer
- Dryer
- Clean-up solvent

Description:

MP1 Rotogravure printing press is a ten-station press.
Maximum estimated coating utilization: 12.7 gallons/hr
The dryer on MP1 uses a 2.9 MM Btu/hr maximum heat input.

MP2 Clean-up
Maximum estimated solvent utilization: 6.25 gallons/hr

Recuperative catalytic oxidizer is installed to control VOC emission in the rotogravure printing unit.

EP 44(043) construction commenced: projected for August 2002.

Control equipment:

Control device is a MAG-300-70-6-C recuperative catalytic oxidizer manufactured by Megtec.
Control efficiency is assumed to be 98%
VOC capture efficiency is assumed to be 100%.

APPLICABLE REGULATIONS:

Regulation **401 KAR 59:212**, New graphic arts facilities using rotogravure and flexography, applies to each affected facility, which is part of a major source in a county designated attainment on which construction commenced on or after June 24, 1992.

1. Operating Limitations:

1. The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations listed in section B(2) below.
2. The printing operation shall be allowed only when the average catalyst bed inlet temperature for all 3-hour periods is greater than or equal to the average catalyst bed inlet temperature of the catalytic oxidizer during the most recent performance test.

Compliance Demonstration Method for Operation Limitations #2:

Compliance shall be demonstrated by continuously recording temperature at the catalyst bed inlet and calculating the 3-hr average operating temperature at 15-minute intervals.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

1. Operating Limitations (continued):

The following limits apply due to compliance assurance requirements for Emission Limitation #1 at this emission point in this Section.

3. Pressure differential across the building enclosure shall be at least 0.007 in H₂O (0.013 mmHg) into the building enclosure during operation of printing unit.

Compliance Demonstration Methods:

Average 1-hr pressure differentials shall be calculated at least once every 15 minutes using continuous monitoring data when any printing unit is operating. If the average 1-hr pressure differentials are at least 0.007 in H₂O (0.013 mmHg) into the building enclosure, compliance is demonstrated.

4. To measure pressure differential between the inside and outside of the building enclosure, a differential pressure gage with a continuous recorder shall be installed.

2. Emission Limitations:

1. **401 KAR 59:212, Section 3(1):** The permittee shall not cause, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal or greater than thirty-five (35) percent by weight of the VOCs input into the printing line (including clean up).

Compliance Demonstration Method:

VOC Emissions:

$$\text{VOC percentage} = (\text{VOC emitted} / \text{VOC input}) \times 100$$

where:

$$\text{VOC input} = [? \text{ (lbs of ink and/or solvent input to the press} \times \text{VOC weight \% of ink and/or solvent)}] + [? \text{ (lbs of cleaning solution consumed during cleaning of the press and parts in the press} \times \text{VOC weight \% of cleaning solution)}]$$

$$\text{VOC emitted} = [? \text{ (lbs of ink and/or solvent input to the press} \times \text{VOC weight \% of ink and/or solvent)} \times (1 - \text{VOC capture efficiency} \times \text{VOC control efficiency})] + [? \text{ (lbs of cleaning solution consumed during cleaning of parts in the press} \times \text{VOC weight \% of cleaning solution)} \times (1 - \text{VOC capture efficiency} \times \text{VOC control efficiency})]$$

2. See Section D.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**3. Testing Requirements:**

1. An initial performance test to establish the destruction efficiency of a catalytic oxidizer shall be conducted by using appropriate EPA testing methods.
2. The permittee shall submit a test protocol at least 60 days prior to performance testing and testing shall be conducted under representative operating conditions (contact division representative if clarification is required).
3. The permittee shall perform the equipment testing once in every five years.
4. As part of continued compliance demonstration, catalyst activity shall be confirmed annually through core sampling and analysis by the manufacturer or independent laboratory.

4. Specific Monitoring Requirements:

1. **401 KAR 59:212** Section 4(6)(c) the amount and type of ink, and/or solvent used (including exempt compounds) at the printing press shall be monitored daily.
2. **401 KAR 59:212** Section 4(6)(f), the amount of each cleaning solvent consumed during press cleaning at and around the line shall be monitor daily.
3. **401 KAR 59:212** Section 4(6)(g) operating temperature of the printing press's ovens shall be monitored daily.
4. Pressure differential across the building enclosure shall be monitored continuously when the printing press is operating.
5. The permittee shall install, calibrate, operate, and maintain a temperature monitoring device equipped with a continuous recorder.
6. The temperature-monitoring device shall be accurate within ± 1 percent of the temperature being monitored in $^{\circ}\text{C}$ or $\pm 1^{\circ}\text{C}$, whichever is greater.
7. The thermocouple or temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed inlet.

5. Specific Recordkeeping Requirements:

1. Pounds or gallons of each ink, and/or solvent, at the source shall be recorded monthly.
2. Pounds or gallons of each cleaning solution consumed shall be recorded monthly.
3. The VOC percentage (by weight) or the VOC content (in lbs/gal), as appropriate for demonstrating compliance, of each ink, solvent, and cleaning solution utilized at the facility shall be recorded.
4. A rolling 12 months summary for each month of the quarter, showing tons of VOC emitted.
5. All purchase orders and invoices for materials containing VOCs shall be made available for inspection upon request by any duly authorized representatives of the Division for Air Quality.
6. The temperature monitoring described above shall be recorded continuously and the 3-hour average measurements of catalyst bed inlet temperature shall be calculated and recorded every 15 minutes (3-hour periods calculations shall not include monitoring data recorded during periods of unavoidable monitoring system breakdowns, repairs, maintenance, and calibrations).

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements (continued):

7. The permittee shall record the pressure differential across the building enclosure.
8. All records shall be retained for a period of five year.
9. Also see Section F.

6. Specific Reporting Requirements:

1. Any deviations from requirements of Section B shall be reported.
2. The VOC emission calculation for each month in the semi-annual period shall be reported.
3. The rolling 12-month total for VOC during each month in the semi-annual period shall be reported.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

045 (044) Parts washer

Description: Parts washer is a closed loop and hard piped system and includes a dry and recovery system.

Maximum estimated solvent utilization:	0.211 gallons/hr
Construction commenced:	projected for August 2002
No control equipment	

APPLICABLE REGULATIONS: None

1. Operating Limitations:

The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations listed in section B(2) below.

2. Emission Limitations: See Section D

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulation 401 KAR 59:005, Section 2(2) and 401 KAR 50:045.

4. Specific Monitoring Requirements: None

5. Specific Recordkeeping Requirements:

1. Monthly records of gallons of cleaning solvent applied shall be kept.
2. A rolling 12 months summary for each month of the quarter, showing tons of VOC emitted shall be recorded.
3. All purchase orders and invoices for materials containing VOCs shall be made available for inspection upon request by any duly authorized representatives of the Division for air quality.
4. All records shall be retained for a period of five years.
5. Also See Section F.

6. Specific Reporting Requirements:

1. Any deviations from requirements of section B shall be reported.
2. The VOC emission calculation for each month in the semi-annual period shall be reported.
3. The rolling 12-month total for VOC during each month in the semi-annual period shall be reported.

SECTION C - INSIGNIFICANT ACTIVITIES

None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. Total VOC emissions shall not equal or exceed 36.0 tons per year. This annual limitation shall not be exceeded during any consecutive 12 month period for EP044 and EP045.

Compliance Demonstration Methods:

A. Monthly VOC emitted at EP044 = ? [(Monthly usage of ink and/or solvent input to the press x VOC weight % of ink and/or solvent) x (1-VOC capture efficiency x VOC control efficiency)] + ? [(monthly usage of cleaning solution consumed during cleaning of parts in the press x VOC weight % of cleaning solution) x (1 – VOC capture efficiency x VOC control efficiency)]

B. Monthly VOC emitted at EP045 = Σ [Monthly usage of each clean-up solvent, or any other VOC containing material in pounds or gallons per month] x [VOC fraction] x [appropriate conversion factor (if usage is in gallons) for gallons to pounds for each ink, clean-up solvent or any other VOC containing material used]

C. Total monthly VOC emitted = Monthly VOC emitted at EP044 + monthly VOC emitted at EP045

2. The actual HAP emission shall not equal or exceed 9.0 tons per year for any individual HAP and 22.5 tons per year for combined HAPs. These annual limitations shall not be exceeded during any consecutive 12 month period for the entire source.

Compliance Demonstration Methods:

Monthly individual HAP emission = ? [Monthly usage of each ink, clean-up solvent or any other HAP containing material in pounds or gallons per month] x [HAP fraction] x [appropriate conversion factor (if usage is in gallons) for gallons to pounds for each ink, clean-up solvent, or any other HAP containing material used]

Monthly combined HAPs emission = ? [Monthly individual HAP emission]

Testing Requirements: N/A

Specific Recordkeeping Requirements:

1. Monthly records of gallons of ink, solvent, and cleaning solution.
2. A rolling 12 month summary for each month of the quarter, showing tons of HAPs emitted shall be recorded.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

Specific Recordkeeping Requirements (continued):

3. All purchase orders and invoices for materials containing HAPs shall be made available for inspection upon request by any duly authorized representatives of the Division for air quality.
4. All records shall be retained for period of five years.
5. Also See Section F.

Specific Reporting Requirements:

1. Any deviation from requirements of section B shall be reported.
2. The individual HAP emission calculation for each month in the semi-annual period shall be reported.
3. The combined HAPs emission calculation for each month in the semi-annual period shall be reported.
4. The rolling 12-month total for individual HAP for each month in the semi-annual period shall be reported.
5. The rolling 12-month total for combined HAPs for each month in the semi-annual period shall be reported.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.[Material incorporated by reference by 401 KAR 52:020, Section 1b (IV)1]
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [Material incorporated by reference by 401 KAR 52:020, Sections 1b(IV) 2 and 1a(8)]
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
 - e. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation. [Material incorporated by reference by 401 KAR 52:020, Section 1b (V)1.]

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.6. [Material incorporated by reference by 401 KAR 52:020, Section 1b V 3, 4.]
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, and
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

**Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601**

**U.S. EPA Region 4
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS**(a) General Compliance Requirements**

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including termination, revocation and reissuance, revision or denial of a permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 3]
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 6]
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon requested by the cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 7,8]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority. [401 KAR 52:020, Section 7(1)]

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 14]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 4]
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 15)b]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [Material incorporated by reference by 401 KAR 52:020, Section 1a, 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020, Section 11(3)(b)]
11. This permit does not convey property rights or exclusive privileges. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 9]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020, Section 11(3)(a)]
15. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - (a) Applicable requirements that are included and specifically identified in the permit and
 - (b) Non-applicable requirements expressly identified in this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)**(b) Permit Expiration and Reapplication Requirements**

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020, Section 12]
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:020 Section 8(2)]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
EP44(043) Rotogravure Printing Unit and EP45(044) Parts washer.

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.

SECTION G - GENERAL PROVISIONS (CONTINUED)

3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the cabinet may extend these time periods if the source shows good cause.
 4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the cabinet.
 5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration or test on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Provisions G(d)7 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test
 6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.
 7. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.
- (e) Acid Rain Program Requirements
1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

SECTION G - GENERAL PROVISIONS (CONTINUED)**(f) Emergency Provisions**

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations are exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source from other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020, Section 24(3)]
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020, Section 24(2)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

**RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346**

2. If requested, the permittee shall submit additional relevant information to the division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.